

## **FLORENCE TOWNSHIP COUNCIL EXECUTIVE SESSION**

**May 9, 2007**

**8:00 PM**

### **CALL TO ORDER**

Council President Baldorossi called the meeting to order.

### **SUNSHINE STATEMENT**

The Opening Statement was read: Notice of this meeting has been given in accordance with the Open Public Meetings Act. Notice was published in the Burlington County Times on January 7, 2007; given to the Register News for information; posted on the municipal bulletin board.

### **ROLL CALL**

Present: John Fratinardo, Bruce Garganio, Elizabeth Ryan, Jerry Sandusky, Frank Baldorossi

Also Present: Mayor Michael Muchowski; Richard A. Brook, Township Administrator; Thomas Sahol, Assistant Municipal Administrator; Dante Guzzi, Township Engineer; Russell Trice, Township Water and Sewer Engineer; William John Kearns, Jr., Township Solicitor; Joy M. Weiler, Township Clerk

### **PUBLIC COMMENT**

No public comments. All residents having an opportunity to be heard, MOTION by Ryan; seconded by Fratinardo to close the public portion of the meeting. All ayes - motion carried.

### **PARKING CONCERNS: DELAWARE AVENUE & STATION ROAD**

Don Kamienski, 10 Mc Cay Drive, was at the meeting in April and stated that he would come back with hard evidence that shows the low impact on the business of the deli as well as the high impact the wide trucks have on the cars traveling on Delaware Avenue. He provided to the governing body a traffic survey that he took last month. The survey was taken on 4/6, 4/9 and 4/10/07, between 6:40AM – 8:00AM. He wanted to know how many trucks parked there, how many cars parked on Delaware Avenue, how many cars were parked in the deli's rear parking lot and how many vehicles go north and south on Delaware Avenue. Mr. Kamienski reported that on the three (3) days of the survey the number of parked wide trucks on Delaware Avenue was five (5) on 4/6, one (1) on 4/9 and five (5) on 4/10. He stated that this is no more then 10% of the volume of customers. The number of parked cars on Delaware Avenue in the same time period was 15, 14 and 14; plus the number of cars parked in the rear parking lot of the deli was 15, 19 and 21. He stated that the majority of the deli's customers are not the wide trucks but the normal size vehicles that park on Delaware Avenue and behind the deli.

Mr. Kamienski also counted the number of vehicles traveling north and south on Delaware Avenue, since that is a major thoroughfare into and out of the township. In those 80 minutes the count was 493 on 4/6, 612 on 4/9 and 731 on 4/10. He stated that wide trucks spend an average of 8 minutes in the deli. During that time the number of vehicles that had to go over the double line to pass the trucks was 49 on 4/6, 61.2 on 4/9 and 73 on 4/10. He believes the high impact deals with all of the cars that have to cross the double line. In his estimation the parked wide vehicles have a low impact on the number of customers that go into the deli but a high impact on the number of vehicles they force to go over the double lines. Mr. Kamienski provided Council President Baldorossi with a photo album showing vehicles having to cross over the double line. He reviewed the photos.

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Mr. Kamienski stated that the survey indicates that the vehicles should be removed; the pictures, both northbound and southbound indicate that the vehicles need to be removed. Mr. Kamienski stated that the County's letter says that the vehicles need to be removed. Mayor Muchowski stated that the County's letter states that they will not do anything; but if the municipality says it is okay, they would support it. If the County felt that strongly about it, since it is a county road, they should have taken a stronger position.

Mr. Kamienski is looking for the Council to tell the Township Solicitor to develop an Ordinance banning wide vehicles from both sides of Delaware Avenue initially to Poplar Avenue. Mayor Muchowski asked why only to Poplar Avenue as opposed to the boat ramp? He noted that this past weekend was a very busy boating weekend and vehicles had to cross over the double line to get around the boat trailers parked on Front Street by the boat ramp. He asked Mr. Kamienski if the boat ramp area of Front Street was a concern to him. Mr. Kamienski stated it was not. He stated that he has a narrow scope, Delaware Avenue and Station Road and the wide trucks that are parked there, that is his concern.

Glen Pattik, 410 Delaware Avenue, stated that he lives on the other side of the road where Mr. Kamienski wants to cut off truck parking. He does not want trucks parked in front of his house. He asked where the line is drawn? He stated that a solution to address the problem other than pushing the trucks down the road has to be determined.

Michelle Pattik, 410 Delaware Avenue, suggested, if it is illegal for vehicles to cross over the double line, ticketing the trucks for changing the traffic pattern.

Abe Kolari, owner of the Corner Deli, stated that he purchased the deli six months ago and it has been there over 40 years. He sees that there is a problem and agrees that something has to be done. He made a recommendation to move the fog line in one foot on the deli side of Delaware Avenue and designate that side "No Parking." Then move the fog line out two feet on the opposite side of Delaware Avenue and designate that side for truck parking. Car traffic to his deli can park in the parking lot behind the store. Council Member Garganio stated that would work fine in front of the deli but would only push the problem down further to where the homes are. They would not want to take away parking in front of residents' homes by continuing "No Parking" on the deli side.

Council Vice President Fratinardo stated that the township does not want to do something that is greatly detrimental to Mr. Kolari's business but something that would solve the problem such as limiting the size of vehicles that can park on either side. There would still be parking on both sides but only for vehicles that can fit within the fog line.

Mayor Muchowski stated that they are treading on territory that affects the entire township since there are several areas in the community with the same exact situation. If a standard is going to be applied, it must be fairly applied in and across the board for the same circumstances. He stated that there must be some sense of consistency when the township enacts legislation. Mayor Muchowski also explained that Delaware Avenue is a designated truck route.

Council Member Garganio's concern is when, on the worst days, the trucks are parked all the way into the residential area blocking the site of the residents getting out of their driveways onto one of the most heavily traveled roads.

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Bill Bott, 64 Riverbank Drive, stated that it is very dangerous when a vehicle stops at the stop sign on Station Road and has to look around a truck to make a left.

Hobart Wainwright, 465 Delaware Avenue, feels that the main problem is with trucks coming into town, not leaving town. He stated that Delaware Avenue narrows as it approaches his house and continues to narrow as it gets to the railroad tracks. He believes there should be no parking between 444 Delaware Avenue to the railroad along the northeast side only. Mr. Wainwright has lived there for 48 years and stated that there have been 47 accidents during those years between Station Road and Poplar Avenue. He also expressed concern regarding speeding and suggested that the radar unit be parked on Delaware Avenue more often. Mayor Muchowski verified with Mr. Wainwright that it would not bother him if Delaware Avenue were realigned in that area and trucks leaving town were still allowed to park on his side? Mr. Wainwright would not have a problem with it; he realizes that he is a neighbor to a business. If no trucks were allowed to park on either side of Delaware Avenue we would be telling the business owner that "we are going to cut your business."

Mr. Wainwright stated that most of the accidents have occurred by vehicles coming from the highway not from Florence.

Nancy Wainwright, 465 Delaware Avenue, agreed that the lines should be realigned to allow for truck parking on her side of Delaware Avenue, no parking on the opposite side, and then the business owner would not lose so much business. She stated that most of the business to the deli from trucks is early in the morning. Mayor Muchowski appreciates Mr. and Mrs. Wainwright's suggestion and has had some of the same thoughts. He doesn't now how much money and time the County would spend on realigning Delaware Avenue. He believes it is a good idea and agrees that truck business for the deli seems to be more geared to the morning. His concern is can they make it come to fruition and what is the legal status of the fog line? Mayor Muchowski stated that on a daily basis there are cars, not trucks, parked in front of Dr. Manser's office with the wheels over the fog line. He appreciates the legitimacy of the concern at this intersection but at the same time as he looks at the scope of what they are trying to accomplish, he has to try to keep focus on the entire thoroughfare along with other areas of concern in the community. He feels when looking at this problem there are several other areas that have the same problem and they should all be looked at together.

Ms. Pattik understands that there are other areas of concerns but stated with Station Road intersecting with Delaware Avenue, which narrows there and the light rail line, there are more things affecting that area than trucks parked on Delaware Avenue. She also stated that if a car is parked in front of the deli on Delaware Avenue, it is very difficult for anyone coming out of Station Road to see.

Ms. Wainwright stated that if the deli side of Delaware Avenue were designated "No Parking" the vehicles turning off Station Road would be able to see.

Mr. Kamienski stated that back in November when he started his campaign he received a letter from the Chief of Police that stated over the past three years there has been one (1) accident in that area, but now Mr. & Mrs. Wainwright state that there have been 47 accidents. Ms. Wainwright stated that has been over the past 48 years between the railroad tracks and Poplar Avenue.

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Council Member Garganio asked Dan Guzzi, Township Engineer, if there was enough room to shift the fog lines? Mr. Guzzi would have to look at the actual dimensions before answering. He believes that the fog lines are already offset; the fog line leaving town is wider than the fog line coming into town.

Mr. Kolari stated that the deli has been there for more than 30 years under a previous owner. He looked at the survey and there is a parking area in front of the store. Mayor Muchowski stated that it is supposed to be a handicapped parking space. That parking space is abused and does create a danger. Mr. Kolari asked if he could eliminate that parking space? Council in agreement for it to be eliminated.

Mr. Wainwright stated that they are very fortunate that the New Jersey Turnpike relocated. Prior to being relocated there was action taken with Ready Pac regarding their trucks not coming out to Delaware Avenue and turning. Ready Pac also advised their suppliers not to come in on Delaware Avenue and turn onto Railroad Avenue. Mayor Muchowski does give Ready Pac credit for working hard to address the problem.

Council Vice President Fratinardo requested that Mr. Guzzi check with the County and see what they would be willing to do. Mayor Muchowski asked what the County was trying to accomplish with the fog line and asked if the cart way has a standard width? Mr. Guzzi stated that the cart way does have a standard width, which is 12' or 13' in each direction. What ever is left over is for parking or bikes. Mayor Muchowski asked what it means for those parking if a shoulder is established with a fog line of six feet? Mr. Guzzi stated as long as the area is not signed "No Parking" they can park there. Solicitor Kearns stated parked vehicles cannot obstruct traffic but that is a judgment call from the police. Administrator Brook believes the police could issue tickets to the trucks for obstructing traffic but the ultimate way to deal with it is to prohibit them.

Mr. Pattik supports no parking on his side of Delaware Avenue but if there is a township wide ban of no parking like that, the residents of downtown Florence will not be able to park in front of their homes. It is so tight in that area that there is no fog line.

Council Member Garganio explained that a few years ago the township was trying to have a bypass built through Whitesell's property and have Front Street/Delaware Avenue decertified as a truck route. He does not have a problem with removing the trucks and then dealing with the County to see what they could do.

Mr. Bott suggested having the trucks that leave the companies on Front Street and River Road be routed to Dulty's Lane. The township has tried in the past without success.

Council President Baldorossi thanked everyone for their concerns and the township will continue to work on the issue.

## **TOWNSHIP WATER AND SEWER ENGINEER**

### **Aerator Bids**

Russell Trice, Township Water and Sewer Engineer, reviewed the bids received and recommended the low bidder, which was Valley Painting. Mr. Trice is familiar with Valley Painting and has had good working experience with them in the past. Administrator Brook will be sure that work does not

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interfere with the Patriotic Celebration or sporting events. Mr. Trice stated that work would not interfere with the operation of the water plant. A Resolution will be prepared for next week's meeting.

### **TOWNSHIP ENGINEER**

#### **Drainage Issue (Wainwright)**

Dan Guzzi, Township Engineer, spoke with Solicitor Kearns who suggested discussing this item in Closed Session.

#### **DOT Grants**

Mr. Guzzi stated that last year Council authorized an application to DOT for a bike path from Brookside Drive to Marter Park. The same application can be filed again this year, however, he pointed out that last year's concept was for a bike lane within the paved roadway. The solicitation for grant applications specifically states this year that consideration will be given to bikeways that are physically separated from motorized vehicular traffic by an open space or barrier. That means they want a grass strip or some other type of barrier. He does not believe there is sufficient right of way available to provide that for the whole length. The application is not due until the end of June so there is time to look into other options. After further discussion it was decided that Mr. Guzzi will check the amount of right of way from Brookside Drive to Marter Park and also on Cedar Lane from the Wawa to the high school and report back the first meeting in June.

#### **AMOCO/HAPCO**

Council Member Sandusky was at the Amoco/HAPCO and witnessed a truck make a u-turn in the parking lot and exit out onto Route 130 instead of using the truck exit onto Cedar Lane because it was easier that way. Mr. Guzzi received revised plans of that exit from their engineer. The plans are to widen the drive to make a larger radius for trucks to exit. It shifts the driveway down a little because DOT mandates the total width of the curb cut they can have. It will pinch vehicles coming from Cedar Lane turning into the gas station but we can look into eliminating that maneuver. The owners are willing to do that.

Council Member Garganio asked if we are still in the process of pulling their temporary CO? He also stated that he is not comfortable with eliminating cars being able to enter the gas station from Cedar Lane and asked if it would go back to the Planning Board? Administrator Brook and Mr. Guzzi stated it would go back to the Planning Board. Council Member Garganio does not believe diesel should be pumped there until the site is workable. Administrator Brook will meet with Mr. Guzzi and Tom Layou, Construction Code Official next Monday or Tuesday, set a deadline date and send out formal notification to HAPCO.

### **ASSISTANT MUNICIPAL ADMINISTRATOR**

#### **Florence Tollgate/Walnut Court**

In response to a request from the governing body, Assistant Administrator Sahol pulled the site plan for Florence Tollgate. This is the preliminary site plan from 1966 that was finalized in 1971. He showed a screening strip shaped in an L on the plans; most of the one strip of pine trees were blown out during the tornado, the other angle of trees Florence Tollgate removed years ago when they put in the gas line and never reinstalled. If they are held to the site plan, these are two areas that should

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be replanted. That was one of the concerns Mr. Lotter of Walnut Court brought up at the last meeting.

The other area Mr. Lotter mentioned was a buffer between Walnut Court and Florence Tollgate. Assistant Administrator Sahol pointed out that Florence Tollgate had their approvals prior to Mr. Lotter's development. The plans show that Florence Tollgate's parking has always faced the direction of what would be Walnut Court. The plans never showed a barrier other than a curb. Council Member Garganio asked if there is an approval for the Walnut Court development? It would have been a minor subdivision. Assistant Administrator Sahol is not sure if there are plans or not, if there were plans they may have been lost in the fire.

Assistant Administrator Sahol stated that the parking stops are in place and where they are not in place, there is a sign immediately in front of it, which means the curb cannot be jumped. Not all of the parking stops are pinned down but they will be soon. He believes Florence Tollgate is also receptive of the township's request to enclose the waste area.

Council Member Sandusky stated that if there were a barrier between Florence Tollgate and Walnut Court the residents from Florence Tollgate might not walk their dogs across the street and allow them to soil on their property.

Council Member Garganio feels that Florence Tollgate should be required to replant the trees that were lost from the tornado and removed when the gas lines were installed.

Assistant Administrator Sahol stated that the new management of Florence Tollgate seems good to work with; he will be meeting with them next week along with Administrator Brook.

### **Patriotic Celebration Day Events**

Assistant Administrator Sahol addressed the concern brought up regarding spacing the events a little further apart to allow more time to get from one to another. Mayor Muchowski felt 8:30AM may be too early for the walk and suggested 8:45AM.

Assistant Administrator Sahol presented as a theme for the Patriotic Celebration "A Salute to our Community Volunteers". Council Member Ryan asked if they were going to follow up on the suggestion from last meeting to make it in part about residents of the community that have served in the recent war? Administrator Brook was going to ask Council this evening in what direction they were looking to go with that. After discussing various suggestions, Council in favor of honoring all living veterans that have served in any war or conflict by branch of the military that they served or are serving in. The Flag Raising Ceremony will be the kickoff for honoring the servicemen and women. Letters will be sent to the American Legions and VFW; will be advertised on Channel 19; the website and in the Register News.

Assistant Administrator Sahol showed a draft of the flier that will be hung in the businesses throughout the community. The only changes are the start of the walk, which will be 8:45AM, and that the parade will go down Fourth Avenue.

**Trees**

Assistant Administrator Sahol stated that the first two (2) trees were planted in the 40-acre parcel of the new park next to the municipal building. They are memorial trees; one was purchased by friends and family of Marsha Bond and the other by the Kramer family in honor of Judge Kramer.

Assistant Administrator Sahol walked the park with Council Member Garganio and believes that it is time to establish some small grove areas, some windbreaks and shady spots.

Assistant Administrator Sahol stated that Kyle Burg, an Eagle Scout, is interested in planting 12 – 24 memorial trees where he would solicit people to purchase the trees and plaques and he would install them.

Council Member Garganio stated that there is bond money left over from the new public works building that the township borrowed but Waste Management paid that could be used for a planting of trees. Administrator Brook stated that there is enough money to handle a tree planting. Council Member Garganio is hoping to plant approximately 100 trees at \$300 - \$400 a piece to create different grove areas and line the pathways.

Council Vice President Fratinardo suggested offering up to the residents the opportunity to donate memorial trees first.

Different areas of plantings were discussed. Assistant Administrator Sahol will meet with Bob Phillips from the Shade Tree Committee to start planning.

**Fifth Avenue & South Street**

Assistant Administrator Sahol spoke with the traffic investigator from the State, Mark Heistan, assigned to our area regarding a resident's request for a stop sign at the end of Fifth Avenue at South Street. Mr. Heistan stated that it doesn't make sense that from the centerline of Fifth Avenue where it crosses South Street that a vehicle would be able to come out of one of the angled parking spaces and come full circle out of that spot and head in the direction to cause the need for a stop sign. Mr. Heistan does not believe the State would approve a stop sign there. His recommendation is to designate South Street a one way from either side of the centerline of Fifth Avenue. If Council would want that designation, a formal request would have to be made. Once a request is made, the investigation will take approximately 90 days. Assistant Administrator Sahol stated that there is no traffic data to support a stop sign there. Administrator Brook suggested speaking with the resident that brought up the concern and explaining to him that the area does not warrant a stop sign and see if he still wants the township to approach the State. Council in agreement for Administrator Brook to speak with the resident.

**ABC LICENSES FOR REVIEW**

Joy Weiler, Township Clerk, provided a copy of the applicants' ABC License renewal applications and other documentation in the packets for Council to review. She asked if Council had any questions? No questions at this time.

Clerk Weiler asked if Council would like to start approving the license renewals that are not a problem over the next two (2) meetings, then consider the renewals that have had problems the last meeting in June?

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Council Member Sandusky asked if the Chief of Police provided a report? Clerk Weiler has not received an additional report; just the one from April.

### **STREET NAME: SET DATE FOR PRESENTATION**

Clerk Weiler reported that everything is in order to proceed with the naming of a street for Joseph McHugh and asked if June 20, 2007 was all right to invite the family to the meeting? June 20<sup>th</sup> is fine. Clerk Weiler will check with the family.

Council Member Garganio asked if all of the veteran's names have been used? Mayor Muchowski stated that all of the veterans have some designation such as a field or street. Council Member Garganio proposed adding former Mayors to the list of street names. There are some former Mayors that have things named after them already. It would be nice to honor those who have done a lot for the community. Council Member Sandusky agrees. Council Member Garganio believes it should go back to the last Charter Study and change in the form of government.

### **LOT COVERAGE (GENERAL DISCUSSION)**

Council Vice President Fratinardo explained that this came up because out at the Greenbriar Development, when the properties were sold the homeowners with basements were told that they could have a deck on their property. One of the homeowners came in to apply for a variance but because of his current lot coverage and the conditions of the approving Resolution by the Planning Board. He was told that he could not get a variance. He was told he could put in a block patio but not a deck the same square footage. The Resolution prohibits a variance if a homeowner already has 35% or more coverage. Council Member Fratinardo suggested changing it to, whether impervious or pervious, not to exceed 50% of your lot. Mr. Guzzi stated that the developer took them right up to the limit on each lot. Council Member Garganio expressed concern over allowing 50% lot coverage; how would you stop it from being 50% in every development? Mr. Guzzi stated that some towns require some sort of on-site stormwater management if you go over with impervious.

Administrator Brook stated that this development is locked in with the Planning Board approval. They cannot come in for a variance if they are at 35% or above. Council Member Ryan thought that was disclosed to the homebuyers. Council Member Fratinardo stated that the homeowner said that he was told that he could put a deck on later and increase the size to whatever the Board approved. Administrator Brook stated that this homeowner is at 45%. Mayor Muchowski explained that the maximum for any one lot was 45% but the total development could not be above 35%. The stipulation was that the homeowners would not be allowed to come before the Board for a variance. Administrator Brook reiterated that a homeowner in Greenbriar cannot exceed the allowed lot coverage.

### **PARKING ORDINANCE: School**

Council President Baldorossi asked Solicitor Kearns to prepare an Ordinance for introduction next week as per the Chief of Police's recommendation? Council Member Ryan questioned the parking time limit being 30-minutes; she feels it should be a 15-minute time limit. Administrator Brook will check with Chief Dawson.

### **WETLANDS LETTER OF INTERPRETATION FOR THE RTC PROPERTY**

Administrator Brook reported that the Township Planner is moving forward with the change of Zoning to the Master Plan for the Griffin Pipe property. Since the RTC property is General Manufacturing, which is the most extreme zone the township would have, the Mayor asked if



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Council would consider changing to Special Manufacturing, which is less intense, at the same time? Council Member Ryan requested a map to review before making a decision. A map will be provided with a list of the uses for Special Manufacturing.

**ROAD PROGRAM**

Administrator Brook stated that Council President Baldorossi contacted him after the last discussion of the road program and indicated that he would like to ask council to consider including two (2) alleys into the road program. We have to move forward to prepare the Bond Ordinance in advance of Mr. Guzzi going out to bid. Council President Baldorossi would like to do the alleys with row homes backing up to row homes; he stated there are three (3) left. A Roebling alley would cost \$20,000 or less. Mayor Muchowski asked if any alleys in Florence need attention? Assistant Administrator Sahol stated that there are some that need attention but if they move forward with having trash picked up in front of the homes, they do not have to be done. After a brief discussion Council in agreement to include all three (3) alleys in the bid specifications as alternates.

**LETTER FROM THE CITY OF MUHLHAUSEN, GERMANY**

Council Member Ryan acknowledged the letter from the City of Muhlausen in Germany, the birthplace of John A. Roebling. In the letter the Muhlhausen City Council is asking for an official partnership between their city, the birthplace of J. A. Roebling and the Township of Florence with the Roebling Village, bearer of his important name, founded by one of his sons.

10:10 PM MOTION by Fratinardo, seconded by Ryan to adjourn to Closed Session. Roll call vote - all ayes.

**ADJOURNMENT**

10:10: Meeting adjourned.

Respectfully submitted,

JOY M. WEILER  
Township Clerk

/mab